

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN CARLOS CALDERON,  
Plaintiff,  
v.  
P. COVELLO, et al.,  
Defendants.

No. 2:25-cv-1448 CKD P

ORDER AND  
FINDINGS AND RECOMMENDATIONS

Plaintiff is a California prisoner proceeding pro se with a civil action. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff requests leave to proceed in forma pauperis. However, on October 24, 2024 in Calderon v. Covello, 2:24-cv-1309 DJC CKD P, it was determined that plaintiff has “struck out” under 28 U.S.C. § 1915(g). Therefore, he cannot proceed in forma pauperis unless he alleges he is under imminent danger of serious physical injury. In his pleadings, plaintiff fails to point to anything which reasonably suggests he is under threat of physical injury.

Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court assign a district court judge to this case.

IT IS HEREBY RECOMMENDED that plaintiff’s motion to proceed in forma pauperis be denied and that plaintiff be ordered to pay the \$405 filing fee for this action.

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1 These findings and recommendations are submitted to the United States District Judge  
2 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
3 after being served with these findings and recommendations, plaintiff may file written objections  
4 with the court. The document should be captioned “Objections to Magistrate Judge’s Findings  
5 and Recommendations.” Plaintiff is advised that failure to file objections within the specified  
6 time waives the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th  
7 Cir. 1991).

8 Dated: June 5, 2025

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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